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PCT #4

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on the date indicated below.

Jodi A. Calderon  
Jodi A. Calderon

Date: 3-4-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

U.S. National Phase Patent Application No.: 09/914,867

Filed: August 31, 2001

International Appl. No. PCT/US00/05427

Inventors: Brown et al.

Applicant: Hayes Brake, LLC & Textron Inc. Attorney Docket No.: 1240.009

Inventors: BROWN, Donald D., BUCKLEY, James A., WALTERMAN, Scott A.,  
LANG, Joseph A. (deceased), REESE, Terry Lou, and CRISCUOLO,  
James M.

Filing Date: 02 March 2000 (02.03.00)

Priority: U.S. Provisional Appl. Ser. No. 60/122,405; filed March 2, 1999

Title: *Brake System Having Hydraulic Accumulator and/or Combined Service Brake  
and Park and Hold Brake*

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Legal Staff  
International Division

**PETITION UNDER 37 CFR §1.42**


Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In a Decision dated December 6, 2001, the Commissioner granted applicants' petition under 37 CFR §1.137(b) but indicated that a substitute declaration was required in compliance with 37 CFR §1.1497(a)-(b). Petitioner submits the requested substitute declaration herewith in response to said requirement. Grant of this petition, acceptance of the substitute declaration, and forwarding of the application to the appropriate Group Art Unit for examination are believed to be in order and are respectfully requested.

A check for \$110 is enclosed in payment for a request for a one-month extension of time, which petitioner hereby makes. No other fees are believed to be payable with this communication. Nevertheless, should the Petitions Examiner consider any other fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



Timothy E. Newholm  
Registration No. 34,4000

Date: March 4, 2002

BOYLE FREDRICKSON NEWHOLM  
STEIN & GRATZ S.C.  
Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202  
(414) 225-9755  
(414) 225-9753

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